

**LARGE-SCALE BEACHFRONT CONSTRUCTION
CONSTRUCTION, MITIGATION, AND COMPENSATION
CASE BD8951**

APPLICANT & SUBJECT PROPERTY

Owner: Mustang Island LLC
Applicant: CSC Construction & Consulting Services, LLC
Address: 7213 State Highway 361, located along the east side of State Highway 361, south of Beach View Drive and north of La Concha Boulevard.
Legal Description: 29.99 acres out of Waterbury JW Survey 596, LS 167
Plat Status: The property is not platted.
Acreeage of Subject Property: 24.99
Code Violations: None.

PURPOSE OF REQUEST

The purpose of the request is for the construction of a 10-foot-wide by approximately 450-foot-long dune walkover and mitigation and compensation to prepare a site for future development, seaward of the Beachfront Construction Line and Dune Protection Line.
 The Beachfront Construction Certificate Application indicates an adverse impact of 4,755 cubic yards of dunes and 79,833 square feet of dune vegetation, with on-site compensation for 4,210 cubic yards of dunes and 68,668 square feet of dune vegetation, and in-place mitigation of 1,263 cubic yards of dunes and 11,363 square feet of dune vegetation. Refer to Attachment C.

PUBLIC HEARINGS & NOTIFICATIONS

Planning Commission	March 18, 2026		
42 Notices mailed to property owners within 200 feet of the subject property			
0	In Opposition	0	In Favor
0	In Opposition	0	Individual Property Owners in Opposition

APPLICABLE STATE STATUES, LOCAL CODES, AND ORDINANCES

Construction Activities, Tex. Nat. Res §61.001, Corpus Christi Municipal Code §10-1
 Defines "Construction Activities" as means causing or carrying out any building, bulkheading, filling, clearing, excavation, or substantial improvement to land or the size of any structure. "Building" includes, but is not limited to, all related site work and placement of construction materials on the site. "Filling" includes, but is not limited to, disposal of dredged materials. "Excavation" includes, but is not limited to, removal or alteration of dunes and dune vegetation and scraping, grading, or dredging a site. "Substantial improvements to land or the size of any structure" include, but are not limited to, the creation of vehicular or pedestrian trails, landscape work that adversely affects dunes or dune vegetation, and increasing the size of any structure.

Dune Protection Line, Tex. Nat. Res §62.051
 Defines the "Dune Protection Line" as a line within 1,000 feet landward of the mean high tide of the Gulf of Mexico.

Requires construction seaward of the “Dune Protection Line” to apply for a **Dune Protection Permit**. *Jurisdiction: Nueces County for properties in Nueces County, City of Corpus Christi for Kleberg County.*

Beachfront Construction Line, Tex. Nat. Res §61.015, Corpus Christi Municipal Code §10.15, and UDC §3.14

Defines the “Beachfront Construction Line” as a line within 1,000 feet landward of the mean high tide or seaward of the first public road, **whichever is greater**.

Requires construction seaward of the Beachfront Construction Line to apply for a **Beachfront Construction Certificate**. *Jurisdiction: City of Corpus Christi*

Erosion Area Line

Corpus Christi Municipal Code §10.1

Defines the “Erosion Area Line” as an imaginary line projected landward from the vegetation line into the future for a period of fifty (50) years determined by multiplying fifty (50) years by annual historical erosion or two hundred (200) feet, **whichever is greater**.

Requires construction seaward of the Erosion Area Line to apply for a **Beachfront Construction Certificate**. *Jurisdiction: City of Corpus Christi (Beach/Dune Committee of the Planning Commission)*

Background:

The Beachfront Construction Certificate application on file with Development Services is for construction activities at the portion of the property along the gulf, and includes a dune walkover, compensation, and mitigation sites, due to impacts resulting from the grading and construction of beachfront and RV lots, roadways, a dune walkover and its associated lookout platform, and the walkover construction buffer. Refer to Attachment B Master Development Site Plan and Attachment C Proposed Construction, Mitigation, and Compensation Map.

Due to constraints of several kinds, Development Services has accepted and forwarded the application, which only reflects a portion of the development in the Nueces County Parks approved Dune Protection Permit Parks for the entire planned community. Refer to Attachment D Dune Protection Permit.

Generally, the property is located along the east side of State Highway 361, out of the Mustang Island area, and 2 miles north of the Mustang Island State Park. The 27.94-acre parent tract is tied to a large mixed-use coastal development set to include residential -Household Living (Single-Family)- uses, commercial -Retail Sales and Services/Restaurant- uses, and commercial -Overnight Accommodation (Hotel)- use. It also includes the dune walkover for which this Beachfront Construction Certificate was sought.

The details of the construction activities are a 10-foot-wide by approximately 40-foot-long dune walkover and preparation for the portion of the site along the gulf for future development, in the process adversely impacting 4,755 cubic yards of dunes and 79,833 square feet of dune vegetation, with on-site compensation for 4,210 cubic yards of dunes and 68,668 square feet

of dune vegetation, and in-place mitigation of 1,263 cubic yards of dunes and 11,363 square feet of dune vegetation. Refer to Attachment C *Proposed Construction, Mitigation, and Compensation Map*.

Through coordination with Nueces County and the Texas General Land Office (GLO), the applicant has revised the project multiple times to reduce dune impacts to avoid additional impacts and preserve the largest critical dune on the property. Despite those efforts, the project will still carry considerable impacts, triggering the need for mitigation and compensation to offset impacts.

Staff Analysis:

Staff reviewed the subject property's background information and the applicant's purpose for the request. Staff also observed that all the required findings for the Concurrent Beach/Dune Committee have been adequately met and the General Land Office's comments have been satisfied.

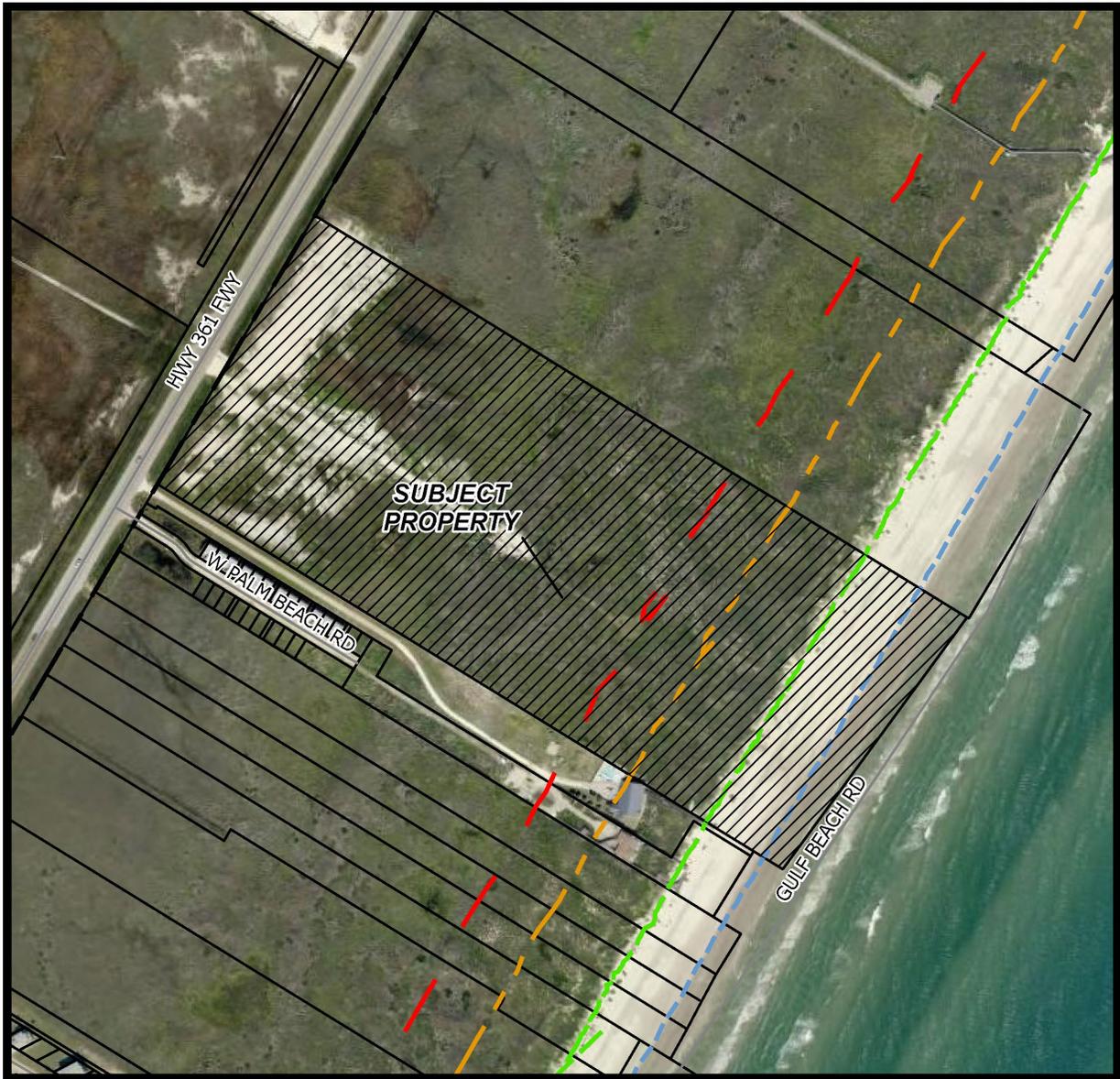
Staff Recommendation:

After evaluation of the permit request information, supplemental documentation, and review of the proposed comprehensive compensation and mitigation plan, staff recommends **approval** of the Small-Scale Beachfront Construction Certificate.

Attachment(s):

- (A) Existing Property Aerial Map
- (B) Master Development Site Plan
- (C) Proposed Construction, Mitigation, and Compensation Map
- (D) General Land Office Comments
- (E) Approved DPP from Nueces County Parks

(A) Exiting Property Aerial Map

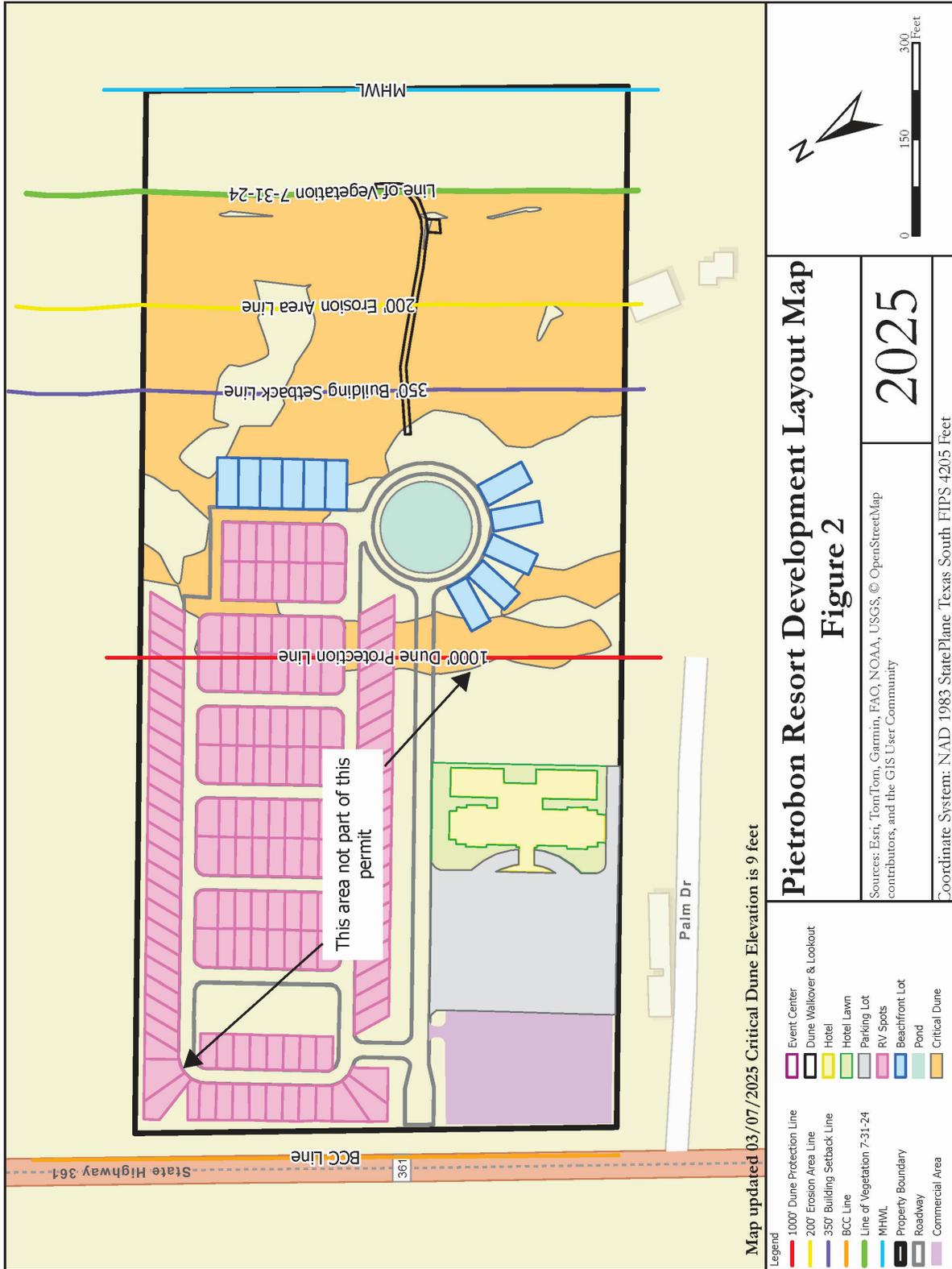


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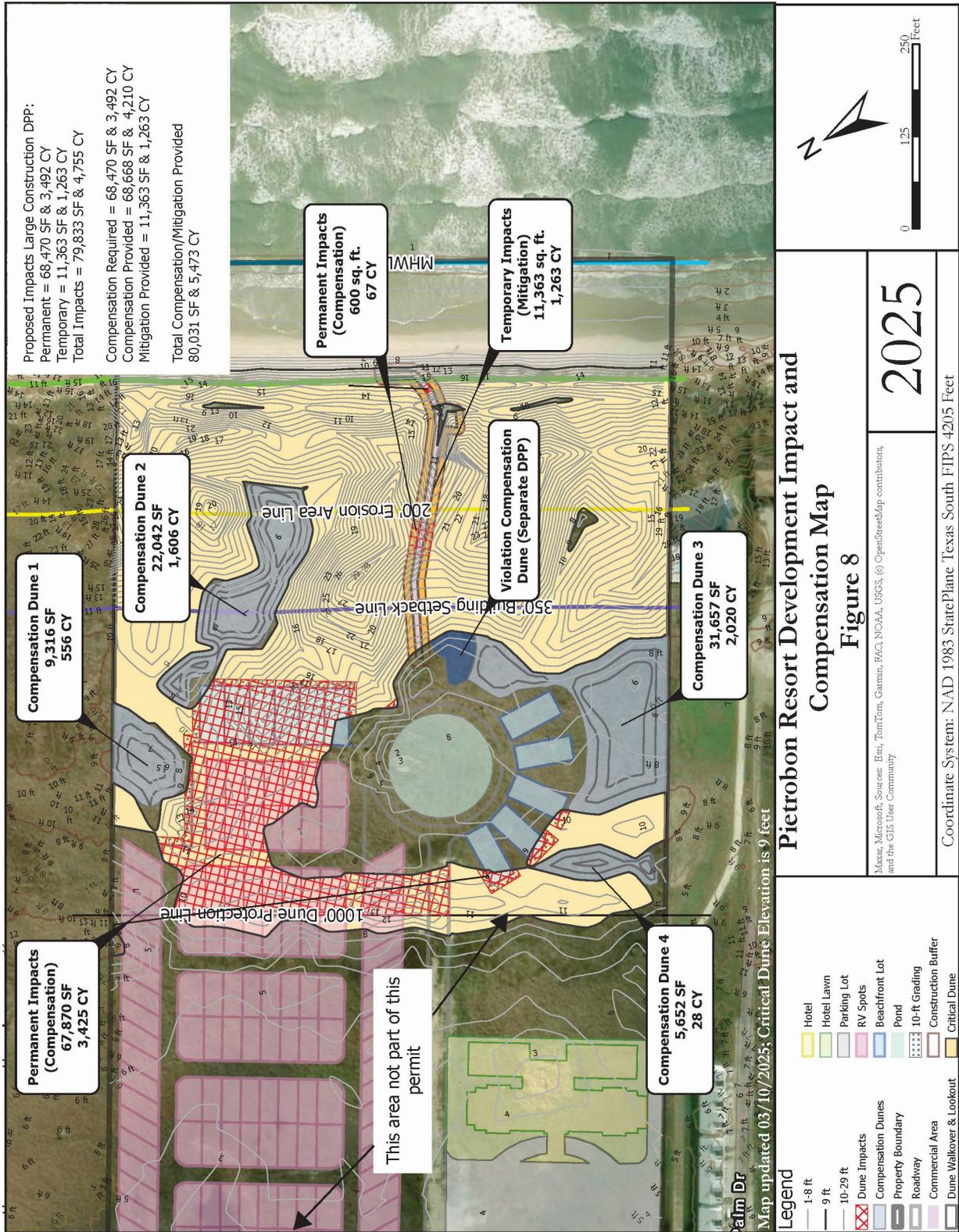
- - - 350 ft Setback Line
- - - 200 ft Erosion Line
- - - Vegetation Line
- - - Mean High Tide
- - - Beachfront Const. Line



(B) Master Development Site Plan



(C) Proposed Construction, Mitigation, and Compensation Map



(D) General Land Office Comments



TEXAS GENERAL LAND OFFICE
COMMISSIONER DAWN BUCKINGHAM, M.D.

February 12, 2026

Via Electronic Mail

Saradja Registre
City Planner
City of Corpus Christi – Development Services
2406 Leopard Street
Corpus Christi, Texas 78408

Beachfront Construction Certificate in the City of Corpus Christi

Site Address: 7213 State Highway 361, Port Aransas
Legal Description: Waterbury J W Sur 596, LS 167, 29.999 acres
Lot Applicant: CSC Construction & Consulting Services c/o Mustang Island LLC
City Case No.: BD8951
GLO ID No.: BDCC-25-0214a

Dear Ms. Registre:

The General Land Office has reviewed the additional application materials for a beachfront construction certificate (BCC) for the above-referenced location. The applicant proposes to construct a 10-foot-wide, 450-foot-long dune walkover and to prepare a site for future development. The applicant also proposes to adversely impact 4,755 cubic yards of dunes and 79,833 square feet of dune vegetation, on-site compensation for 4,210 cubic yards of dunes and 68,668 square feet of dune vegetation, and in-place mitigation for 1,263 cubic yards of dunes and 11,363 square feet of dune vegetation. The proposed construction activities are located seaward of the 1,000-foot dune protection line. According to the Bureau of Economic Geology, the shoreline is eroding at a rate of four to five feet per year.

Based on the information provided to our office for review, we have the following comments:

- This application is for the proposed dune walkover and adverse impacts to dunes and dune vegetation seaward of the 1,000-foot dune protection line. This application does not include the construction of the resort complex, as proposed in the dune protection permit application (County ID DPP-20231306). All construction landward of the dune protection line or not included in this permit application will require a new or amended BCC from the City of Corpus Christi (City) before construction commences.
- Based on sheet S4.1 of the application materials, it appears that a roof over the dune walkover lookout is proposed, which was not included in the dune protection permit application. The City must coordinate with Nueces County to ensure that the beachfront construction certificate and dune protection permit are consistent. The applicant must either obtain a new or amended dune protection permit for the dune walkover lookout roof or remove the lookout roof from the beachfront construction certificate application before construction commences.
- The City shall not issue a certificate authorizing construction unless the construction activities will minimize impacts on natural hydrology. Such projects shall not cause erosion of adjacent properties,

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critical dune areas, or the public beach.¹ The GLO has concerns that the proposed roof above the dune walkover lookout may adversely impact dune hydrology or introduce additional debris within the beach dune system should it become damaged.

- Any construction not proposed in this application, not built as proposed in this application, or not in compliance with the City of Corpus Christi's Beachfront Management and Construction Plan as well as state statutes and rules is subject to enforcement action by the City and the GLO, which may include administrative penalties of no less than \$50 and no more than \$2,000 per violation per day. Each day the violation occurs or continues constitutes a separate violation.² Enforcement history is considered when determining penalty amounts.
- According to the amended plans submitted for the dune protection permit application, the walkover will end approximately 13 feet seaward of the line of vegetation, but the plans submitted for the beachfront construction certificate application do not include a clear measurement from the line of vegetation. The proposed dune walkover must be restricted, to the greatest extent possible, to the most landward point of the public beach.³ The City must ensure the seaward end of the dune walkover is located as far landward as is practicable and does not extend into the driving lane or impede or restrict vehicular access to the beach at normal high tide.⁴
- Concrete may not be used to stabilize the dune walkover pilings.⁵
- The City shall require the applicant to relocate the walkovers to follow any landward migration of the public beach or seaward migration of the dunes.⁶ After significant landward migration of the landward boundary of the public beach, the City shall require permittees to shorten any dune walkovers to the appropriate length. This requirement shall be contained as a condition in any permit and certificate issued authorizing construction of walkovers.⁷

In the event of a material change to the site conditions or the proposed construction, a new or amended beachfront construction certificate and dune protection permit is required.⁸ If you have any questions, please contact me at (512) 463-5234 or at lauren.medlin@glo.texas.gov.

Sincerely,



Lauren Medlin
Beach Access & Dune Protection Program
Coastal Resources Division
Texas General Land Office

¹ 31 Tex. Admin. Code § 15.6(h).

² 31 Tex. Admin. Code § 15.9(a)(1)(A).

³ 31 Tex. Admin. Code § 15.7(g)(1) & COCC Beach Access Plan § 10-63(a).

⁴ 31 Tex. Admin. Code § 15.7(g)(2).

⁵ 31 Tex. Admin. Code § 15.6(i)(2).

⁶ 31 Tex. Admin. Code § 15.7(g)(4) & COCC Beach Access Plan § 10-63(b).

⁷ 31 Tex. Admin. Code § 15.7(g)(4)(A).

⁸ 31 Tex. Admin. Code § 15.3(t)(5).

(E) Dune Protection Permit



Monica Perez
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(361) 414-6866

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Supervisor, Park Maintenance
michael.stone@nuecescountytexas.gov
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Monica Silguero
Sr. Account Assistant
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(361) 414-6867

SCOTT CROSS
NUECES COUNTY COASTAL PARKS DIRECTOR

Date: Thursday, April 24, 2025

From: Nueces County Coastal Parks

To: John Pietrobon
Island Beach Resort, LLC
5916 Colleyville, Texas 76034
johnpietrobon@hotmail.com

RE: Approval and Issuance of Permit DPP-20231306 – Pietrobon Development

The subject project permit request is approved. The Nueces County Coastal Parks Department (Coastal Parks), the Nueces County Beach Management Advisory Committee (BMAC), the Nueces County Judge Connie Scott, and the Texas General Land Office (GLO) have reviewed the subject large-scale construction dune protection permit application for a development on Mustang Island in Port Aransas, Texas, and concluded the proposed project meets county and state requirements for a large-scale dune protection project. A copy of the application that was revised per the commissioners court approval, BMAC memo, Coastal Parks letter to the judge and GLO, Nueces County judge's letter to the GLO, GLO's letter to the judge, and the applicant's response to the GLO are attached.

This application was conditionally approved at the April 9, 2025, Nueces County Commissioners Court meeting. The condition of the approval was that the 20-foot-wide by 20-foot-long lookout platform be reduced to 16-foot-wide by 16-foot-long. The revised application showing that change is attached to this approval letter. The payment for the permit fee of \$13,496.55 was received by the county on April 17, 2025.

The applicant, John Pietrobon, proposes to construct a new beach community consisting of recreational vehicle (RV) lots, beachfront lots, a commercial building area, a hotel, a dune walkover with a lookout platform, and supporting parking lots and roadways on Mustang Island. Seaward of the 1,000-foot dune protection permit (DPP) line, the proposed development includes 11 beachfront single family residential lots with infrastructure for future homes, 28 RV concrete pads and roadways, 1 detention pond, and 1 10-foot-wide dune walkover / cart path to be used as a public beach access point as well as one 16-foot-wide by 16-foot-long beach open-air lookout. Landward of the 1,000-

foot DPP line, the proposed development includes 108 RV concrete pads, 1 commercial area, 1 hotel with parking lot, and 1 entrance roadway. The applicant designed the project so that the main development area (hotel, commercial area, RV pads, residential buildings, and entrance roadway) is located landward of the 350-foot building setback line and avoids unnecessary impacts to dunes, dune hydrology, and dune vegetation. All impacts to dunes and dune vegetation will be compensated for. The development will be graded such that the driveway drains towards a culvert at SH 361 per the TxDOT permit and the rest of the development (commercial area, roads, parking lots, RV lots and residential lots) will detain rainwater and will drain towards the proposed detention pond. In addition, the outer limits of the development area will be sloped to avoid forming a shelf that could collapse. The approximately 500-foot long, 10-foot wide dune walkover and platform avoid impacts to the line of vegetation. The walkover will be no less than 4 feet above the highest critical dune crest, and with slats spaced at least ½ - 1 inch apart so that sunlight and rainfall can penetrate to vegetation below and so that sand will not accumulate on the deck. The project proposed mitigating construction impacts of 11,363 square feet of dune vegetation and 1,263 cubic yards of dune material in place. The project proposes 68,470 square feet of dune vegetation and 3,492 cubic yards of dune material compensation for permanent impacts to critical dunes. Material from the impacted dune will be used for dune mitigation and compensation activities which will include reconstructing dunes within the impact areas by means of mechanical earth moving and recontouring. Construction seaward of the 1,000-ft dune protection line is estimated to take approximately 3 years to complete.

The following conditions apply:

1. You will provide a permit construction monitor during construction, mitigation, and compensation. Prior to beginning construction, you must provide the monitors contact information to the county.
2. You shall notify the Nueces County Coastal Parks Department at least 10 working days prior to starting construction and keep them informed about your work timelines and end of construction. In addition, you will schedule a pre-construction meeting to review the conditions of the permits and construction plans with your construction/contractor managers, your permit construction monitor, County Coastal Parks Department, City Development Services, and GLO prior to beginning any work on the property.
3. Before construction commences, you must apply for and obtain a Beachfront Construction Certificate from the City of Corpus Christi. Should the requirements to obtain a certificate from the City of Corpus Christi result in a material change to the proposed activities, you must obtain a new or amended Dune Protection Permit from Nueces County.
4. Any sand, soil, sediment, or dredged spoil deposited seaward of the dune protection line must be of an acceptable mineralogy or grain size as compared to the sediments found onsite.
5. Fill material must be clean and free of debris and free of toxic materials listed in Title 40 of the CFR, § 302.4, in concentrations which are harmful to people, flora, and fauna as determined by applicable requirements for toxicity standards established by the local, state, and federal governments.
6. You and your contractors will take measures to avoid adversely impacting dunes and dune vegetation during construction. Prior to beginning construction, temporary fencing (such as construction fencing or silt fencing) shall be placed adjacent to the critical dune areas to prevent construction equipment or materials from being placed in the dune system. You understand that any unauthorized adverse impacts to dunes or dune vegetation are in violation

- of the Dune Protection Act and may be subject to enforcement action by Nueces County and the GLO, which may include administrative penalties of \$50 to \$2,000 per violation per day.
7. Conduct mitigation and compensation for any adverse effects to dunes and dune vegetation prior to or concurrent with the commencement of construction. If mitigation and compensation is not completed prior to commencement of construction, you must provide the County with proof of financial responsibility in an amount necessary to complete the mitigation.
 8. Conduct mitigation and compensation efforts continuously until the repaired, rehabilitated, and restored dunes and dune vegetation are equal or superior to the pre-existing dune vegetation. These efforts shall include preservation and maintenance of restoration areas pending completion approval by the county for the mitigation and compensation. You shall be deemed to have failed to achieve mitigation and compensation if a 1:1 ratio has not been achieved within three years after beginning mitigation efforts.
 9. Restore dunes to a similar position, contour, volume, elevation, and vegetative cover of the surrounding naturally formed dunes. Compensate for adverse effects on dune vegetation by planting indigenous vegetation on the affected dunes.
 10. You and your contractors will direct all stormwater inland away from critical dune areas so that construction and fill activities do not result in increased flood damage to the proposed construction site, public beach, or adjacent properties, result in runoff or drainage patterns that aggravate erosion, cause significant changes to dune hydrology, adversely affect dune complexes or dune vegetation, or significantly increase the potential for washovers or blowouts to occur.
 11. Ensure the proposed construction is consistent with FEMA minimum requirements or with the FEMA approved local ordinance.
 12. Comply with all rules and regulations of the Nueces County Beach Management Plan and the GLO, and The Joint Erosion Response Plan for Nueces County and the City of Corpus Christi.

This approval is valid for three (3) years from the date of issuance. If the proposed construction is changed in any manner which causes adverse effects on dunes, dune vegetation, or public beach use and access, this project shall not be eligible for a renewal but will require the application for a new permit.

The County and GLO reserves the right to access the property to inspect and monitor the permitted activity during construction and until expiration of the dune protection permit. If at any time the County finds that the activity is not consistent with the conditions of this permit, the County may order the activity to cease until a plan for compliance is agreed upon.

Within thirty (30) days of completion of this project, submit to the county an affidavit signed and sealed by your engineer, architect, geologist, or surveyor licensed in the State of Texas. The affidavit must attest that the provisions of this approval have been met, and that the permitted work has been completed. The county will then verify that the provisions have been met and will send a letter of acceptance or rejection of the attestation to you for initial construction then will monitor the compensation area until it has revegetated and is similar to adjacent unaffected dunes. Once the compensation dune is restored similar to adjacent unaffected dunes the county and GLO will conduct a final site visit and issue a letter confirming that the compensation for violation is complete. This may take place 1 to 4 years after initial construction is complete.

Additional information about the dune permit process, questions about amendments or extensions, and other dune habitat information is available from the Nueces County Beach Management Plan which can be found at <https://www.nuecesbeachparks.com/dune-permitting/nueces-county-beach-management-plan>. For additional support contact Nueces County Coastal Parks at 15820 Parks Road 22 Corpus Christi, TX 78418, (361) 949-8122, CoastalParksDunePermits@nuecescountytexas.gov.

Sincerely,



Scott Cross

Attachments-

- 1 DPP Application – Updated Post April 9 Commissioners Court
- 2 MEMO to Judge from BMAC
- 3 Coastal Parks to Judge and GLO
- 4 Judge to GLO
- 5 GLO letter to Judge BDNC-24-0104b
- 6 Applicants Response to GLO letter 03182025